



## 5.6 State, Regional, and Federal Capabilities

The section below presents State, Regional, and Federal mitigation capabilities that are common to all communities within the Peninsula planning area.

### STATE CAPABILITIES

#### **Virginia Department of Emergency Management (VDEM)**

##### VDEM's Strategic Plan 2004-2013

This plan recognizes and prepares for Virginia's changing demographics and increasing threats over the next ten-year period. Goals, strategies and resources are built around the mission statement, which is "to protect the lives and property of Virginia's citizens from emergencies and disasters by coordinating the state's emergency preparedness, mitigation, response, and recovery efforts."

##### Commonwealth of Virginia Emergency Operations Plan (State EOP), April 2004

This plan consists of a Disaster Recovery Plan, a Hazard Mitigation Plan, and five hazard-specific volumes. The mitigation goals and project prioritization criteria from Section 4 of Virginia's Hazard Mitigation Plan are:

- Goal 1 - Structural Mitigation Projects - Maintenance of critical communication, transportation, or supply chain management operations, beneficial impacts for multiple agencies/organizations, feasibility, cost and funding, and multi-hazard mitigation;
- Goal 2 - Policy, Planning and Funding Human health and safety, preparedness, economic recovery, multi-hazard mitigation, and health care and shelter;
- Goal 3 - Information and Data Development - Human health, safety or economic stability, multi-hazard mitigation, beneficial impacts for multiple agencies/organizations, feasibility, and information quality and security; and,
- Goal 4 - Education and Outreach Activities – Number of people and property affected, beneficial impacts for multiple agencies/organization, multi-hazard mitigation, transferability and adaptability, and simplicity and consistency.

##### Virginia Emergency Alert Systems (EAS) Stations

Specific AM/FM radio stations provide updated disaster and directional information to listeners in the Commonwealth. Thirty-seven radio stations cover fourteen regions in Virginia, including: Eastern Virginia (2 FM stations), Southside (one AM station, one FM station), and the Richmond extended area (two AM stations, two FM stations), which provide coverage for the Peninsula planning area.

#### **Virginia Department of Transportation**

The Virginia Department of Transportation Phase 1 and Phase 2 evacuation routes are shown below and discussed online at <http://www.virginiadot.org/comtravel/hurricane-evac-hro.asp>. They are also available in local telephone directories. Due to the large population and limited number of highways leading out of Hampton Roads, phased evacuation using assigned routes is necessary.

Phase 1 evacuees from Hampton, Poquoson, Virginia Beach, Norfolk, and York County should evacuate 24 to 14 hours prior to the onset of tropical storm force winds. Phase 2 evacuees from Newport News, the remainder of Hampton, Chesapeake, Portsmouth and Suffolk should evacuate 14 hours prior to the onset of tropical storm force winds. The evacuation zones are shown in Figure 5.0.

**Figure 5.6-Evacuation Zones**



The Peninsula's emergency management officials are re-examining the existing evacuation routes in conjunction with new storm surge mapping (produced by VDEM, FEMA and the U.S. Army Corps of Engineers), existing topography, floodplains, new mapping, new traffic patterns and new development.

### **Virginia Department of Conservation and Recreation (VDCR)**

#### **Chesapeake Bay Regulations**

As part of Virginia's commitment to help preserve and restore the resources of the Chesapeake Bay, the Virginia General Assembly adopted the Chesapeake Bay Preservation Act in 1988. The Chesapeake Bay Preservation Area Designation and Management Regulations were adopted in

1990 and amended in December 2001. The revised regulations took effect in March 2002 and localities had until December 31, 2003 to revise local ordinances and become consistent with the new language.

The regulations require that communities east of Interstate 95, the "Tidewater" area of Virginia, regulate and enforce the use of Resource Protection Areas (RPAs) and Resource Management Areas (RMAs). The RPA is relevant to floodplain management because new development within the designated area must maintain a 100-foot buffer from the waterline of any perennial stream, as defined by the regulations. This includes all tidal water bodies in coastal areas. Both the Hampton Roads Planning District Commission and the VDCR provide technical assistance and guidance to communities in enforcing the regulations. In essence, this is a staff regulation that strengthens local floodplain manager ordinances by exceeding minimum NFIP standards.

#### **Virginia Flood Damage Reduction Act**

Virginia's General Assembly enacted the Virginia Flood Damage Reduction Act of 1989. The legislation was the result of several disastrous floods and coastal storms that impacted the state between 1969 and 1985. To improve Virginia's flood protection programs and place related



programs in one agency, responsibility for coordination of all state floodplain programs was transferred in 1987 from the Water Control Board to VDCR. The agency was named manager of the state's floodplain program and designated coordinating agency of the NFIP under the act.

#### *Virginia Dam Safety Act*

The Virginia Soil and Water Conservation Board established the state's dam safety regulations as a result of the passage of the Virginia Dam Safety Act. The Dam Safety Program's purpose is to provide for safe design, construction, operation and maintenance of dams to protect public safety. The program enforces permit requirements related to the construction and alteration of impounding structures. All dams in Virginia are subject to the Dam Safety Act unless specifically excluded. Inundation mapping is required for all Class I and Class II dams in the Commonwealth. Dam Safety Program officials recommend mapping for all classified dams. Emergency Action Plans are required for all class I, II, and III dams.

#### *Shoreline Erosion Advisory Service (SEAS)*

DCR's Shoreline Erosion Advisory Service promotes environmentally acceptable shoreline and riverbank erosion control measures to protect private property and reduce sediment and nutrient loads to the Chesapeake Bay and other waters of the Commonwealth. In addition, the program promotes research for improved shoreline management techniques to protect and enhance Virginia's shoreline resources.

Since SEAS was created in 1980, DCR has provided technical advice about tidal shoreline erosion problems to more than 7,000 clients. They include landowners, local governments and environmental agencies. SEAS program activities also help local governments deal with sediment and nutrient loads from shoreline erosion and, of course, address the Commonwealth's obligation to reduce sediment and nutrient loads in the Chesapeake Bay and its tributaries. For example, following Hurricane Isabel, SEAS provided technical assistance to the residents of Hampton's Chesapeake Avenue to facilitate reconstruction of a seawall spanning numerous property owners. The complexity of the project permitting and the number of property owners involved required external assistance.

#### *Virginia Marine Resources Commission (VMRC)*

The Virginia Marine Resources Commission was established in 1875 as the Virginia Fish Commission. The Virginia Wetlands Act was passed in 1972 and placed under the management of VMRC, as was the 1980 Coastal Primary Sand Dune Protection Act. In 1982, the General Assembly broadened the 1972 Wetlands Act to include non-vegetated wetlands. The Habitat Management Division issues three types of Environmental Permits: subaqueous or bottomlands, tidal wetlands, and coastal primary sand dunes. The division's authority specifically regulates physical encroachment into these valuable resource areas.

The permit process relies on a single Virginia joint local/state/Federal permit application. The review process takes into account various local, state and Federal statutes governing the disturbance or alteration of environmental resources. The Marine Resources Commission plays a central role as an information clearinghouse for all three levels of review. Applications receive



independent yet concurrent review by the community's Wetlands Board, the VMRC, the Virginia Department of Environmental Quality, and the U.S. Army Corps of Engineers.

### **Department of Housing and Community Development**

The Commonwealth of Virginia is responsible for enacting the Virginia Uniform Statewide Building Code (VUSBC), and each county or city is responsible for enforcing the code locally. As of the first quarter of 2005, the VUSBC is based on the 2000 International Building Code, International Plumbing Code, International Mechanical Code, and International Fire Protection Code, and the 1999 National Electrical Code. The 2003 version of the IBC has been incorporated into the VUSBC, and is expected to go into effect Fall, 2005. The code contains the building regulations that must be complied with when constructing a new building or structure or an addition to an existing building, maintaining or repairing an existing building, or renovating or changing the use of a building or structure.

Enforcement of the VUSBC is the responsibility of the local government's building inspections department. All Peninsula communities charge fees to defray the costs of enforcement and appeals arising from the application of the code. The VUSBC contains enforcement procedures that must be used by the enforcing agency.

As provided in the Uniform Statewide Building Code Law, Chapter 6 (36-97 et seq.) of Title 36 of the Code of Virginia, the USBC supersedes the building codes and regulations of the counties, municipalities and other political subdivisions and state agencies, related to any construction, reconstruction, alterations, conversion, repair or use of buildings and installation of equipment therein. The USBC does not supersede zoning ordinances or other land use controls that do not affect the manner of construction or materials to be used in the construction, alteration, or repair.

## **REGIONAL CAPABILITIES**

The Hampton Roads Planning District Commission (HRPDC), one of 21 Planning District Commissions in the Commonwealth of Virginia, is a regional organization representing sixteen local governments, including Hampton, Newport News, Williamsburg, James City County and York County. Planning District Commissions are voluntary associations created in 1969 pursuant to the *Virginia Area Development Act*. The purpose of planning district commissions, as set out in the Code of Virginia, Section 15.2-4207 is "...to encourage and facilitate local government cooperation and state-local cooperation in addressing on a regional basis problems of greater than local significance." The HRPDC serves as a resource of technical expertise to its member local governments. Specific programs affiliated with HRPDC include HR STORM/HR CLEAN, HREMC and REMTAC, which are described below.

### **HR STORM and HR CLEAN**

Regional governments are developing and implementing stormwater management programs that include construction of best management practices (BMPs), system maintenance, water quality testing, enforcement of program standards and public education. Significant results and cost cuts are achieved through regional cooperation. These regional efforts are coordinated through HR



STORM, a coalition of local government staff members who share ideas and pool resources for targeted educational program efforts about stormwater management. In addition, the HRPDC facilitates monthly meetings of the Regional Stormwater Management Committee where program staff members from 14 localities in Hampton Roads coordinate efforts in water quality data gathering and pollutant loading studies. These data enable localities to better target future program dollars to improve management of stormwater quantity and quality. HR CLEAN is the recycling and litter prevention education program of the HRPDC.

**Hampton Roads Emergency Management Committee (HREMC)** - The objective of the HREMC is to promote the inter-jurisdictional and inter-agency coordination of emergency management issues and foster emergency preparedness in the Hampton Roads area, including the Peninsula communities. The purpose is to provide a working group for the exchange of information, experience and technology among Hampton Roads Emergency Management officials and individuals with responsibilities in emergency management. Participants include community officials, American Red Cross, military liaisons, State and Federal agency representatives, Verizon, Virginia Natural Gas and Dominion Power. Public information materials include *Is Your Family Prepared for Hurricanes*, a detailed family preparedness booklet focusing on Hampton Roads' procedures for evacuation and readiness.

**Regional Emergency Management Technical Advisory Committee (REMTAC).** This organizational, policy-making group is composed of HRPDC staff, Emergency Management staff in local communities, including the Peninsula, and VDEM staff. REMTAC works to enhance emergency management plans on a regional level. The HRPDC provides support to REMTAC and local jurisdictions on a variety of emergency management issues, including: hurricane evacuation planning; emergency shelter planning; debris management resource planning; disaster planning for populations with special needs and public education awareness and hurricane preparedness programs. REMTAC members have access to a secure online forum among registered participants, in addition to monthly meetings.

**Surry Power Station Emergency Public Information** – Surry Power Station, located on the James River about seven miles south of Williamsburg, can generate 1,625 megawatts of electric power from its two nuclear reactors. Surry is linked to the Dominion Virginia Power transmission portfolio servicing the Peninsula. Although the power station would not normally be included in natural hazard mitigation planning, the facility represents a noteworthy manmade hazard and area emergency management plans pay considerable attention to the siren warning system. Cities and counties in the Surry Power Station Planning Area include: James City County, York County, Newport News, Williamsburg, Isle of Wight County, and Surry County. The Peninsula communities exclude all other hazard siren systems to avoid confusion over multiple siren tones and signals in the region.

## **FEDERAL CAPABILITIES**

### *The National Flood Insurance Program (NFIP)*

Established in 1968, the NFIP provides flood insurance in communities that agree to regulate new development in identified Special Flood Hazard Areas through the adoption and





enforcement of a minimum Flood Damage Prevention Ordinance. The program also requires, as a condition of every Federally-backed mortgage within an identified Special Flood Hazard Area, the purchase and maintenance of a flood insurance policy for the life of the loan.

#### *The Coastal Barrier Resources Act (CoBRA)*

Established in 1972, the CoBRA is environmental legislation administered by the U.S. Fish and Wildlife Service. The legislation provides for the identification and protection of Coastal Barrier Resources. The act further prohibits the availability of Federally-backed assistance within identified areas, including grants, loans, mortgages and Federal flood insurance. For the Peninsula communities, only the City of Hampton has areas designated as part of the Coastal Barrier Resource System (Units VA-60 and VA-60P).

#### *Coastal Zone Management Act (CZMA)*

Established in 1972, and amended by the Coastal Zone Protection Act of 1996, the CZMA defines a national interest in the effective management, beneficial use, protection and development of the coastal zone and identifies the urgent need to protect the natural system from these competing interests.

VDEQ oversees the Virginia Coastal Resources Management Program, established to protect and manage an area known as Virginia's "coastal zone." All five of the Peninsula communities are located in the coastal zone. The program has produced a large number of publications and assisted in the development of numerous projects to support their nine primary goals, available online at <http://www.deq.virginia.gov/coastal/goals.html>.

Examples of the program's accomplishments impacting the Peninsula include:

- Coastal Dune Resources Inventory - Virginia has coastal dune resources on about 48 miles of shoreline. An inventory, now underway by the Virginia Institute of Marine Science, is part of an ongoing Virginia Coastal Program effort to establish a better understanding of dune systems, including primary, secondary, coastal and riverine dunes, in coastal Virginia. The inventory includes where dunes are located, how they should be defined, and how they function in the natural environment. The goal is improved management to ensure that both the habitat and flood protection benefits derived from these naturally occurring and rare systems are maintained.
- Riparian Buffer Sign Program - The Virginia Coastal Program designed a riparian buffer sign to emphasize the importance of riparian buffer restoration in the coastal watershed. The sign, available to all groups and organizations planting buffers in Virginia's coastal zone, links buffer restoration sites throughout Tidewater Virginia, providing the public with a consistent message on the benefits of riparian buffers. At York River State Park, a new buffer, planted on a steep denuded slope, protects the park's marsh and the York River beyond.
- Statistical analysis of the impact of channelization activities and dams in Tidewater Virginia on instream and riparian habitat.



- Virginia Clean Marina Program (VCMP) - In 2001, marina operators, marine industry representatives and state officials launched the program, which is a voluntary initiative designed to educate and give technical support and special recognition to marinas that implement BMP's that go above and beyond regulatory requirements, minimizing potentially negative impacts on water quality and coastal resources. Clean Marinas on the Peninsula include: Hampton Public Piers, Old Point Comfort Marina at Fort Monroe; Salt Ponds Marina in Hampton, Two Rivers Yacht Club in Williamsburg; and Wormley Creek Marina in Yorktown.
- Wetland Educational Materials - The Virginia Institute of Marine Science, College of William and Mary, with Coastal Program funding, has developed legal and educational materials that are being used by all local wetlands boards. VIMS also produces a Wetlands Newsletter and holds regular workshops and seminars for board members, local governments and others interested in wetland management.